

PART 10—MUNICIPAL SECURITIES DEALERS

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AUTHORITY: 12 U.S.C. 93a; 15 U.S.C. 78o-4(c)(5), and 78q-78w.

SOURCE: 42 FR 45510, Sept. 9, 1977, unless otherwise noted.

REGULATIONS

§ 10.1 Scope of part.

This part is issued by the Office of the Comptroller of the Currency (OCC) and applies to:

(a) All national banks and banks operating under the Code of Law for the District of Columbia, or their subsidiaries or separately identifiable departments or divisions, which act as municipal securities dealers, as that term is defined in section 3(a) of the Securities Exchange Act of 1934; and

(b) Any person associated or to be associated with any such bank, subsidiary, department or division in the capacity of a municipal securities principal or a municipal securities representative, as those terms are defined in Rule G-3 of the Municipal Securities Rulemaking Board.

[42 FR 45510, Sept. 9, 1977, as amended at 60 FR 57332, Nov. 15, 1995]

§ 10.2 Definitions.

For the purposes of this Part, including all forms and instructions, unless the context otherwise requires:

(a) The term *Act* shall mean the Securities Exchange Act of 1934, 15 U.S.C. 78 *et seq.*;

(b) The term *Board* shall mean the Municipal Securities Rulemaking Board;

(c) The term *Commission* shall mean the Securities and Exchange Commission;

(d) The term *bank municipal securities dealer* shall mean any bank or any subsidiary, department, or division of a bank referred to in § 10.1(a);

(e) Other terms used in this part shall have the meanings set forth in the Act, in the rules and regulations of the Commission, and in the rules of the Board, to the extent they are defined therein.

[42 FR 45510, Sept. 9, 1977, as amended at 60 FR 57332, Nov. 15, 1995]

§ 10.3 Filing of documents.

(a) All documents required to be filed with the OCC in accordance with this part are to be filed at the Chief National Bank Examiner's Office, Office of the Comptroller of the Currency, 250 E Street, SW, Washington, DC 20219.

(b) Filing may be accomplished by direct delivery, through the mails, or otherwise. The date on which documents are actually received by the OCC shall be the date of filing, but documents which are not prepared and executed in accordance with the applicable requirements may be returned as unacceptable for filing.

(c) Acceptance of any document for filing shall not constitute any finding by the OCC that the document has been completed in accordance with the applicable requirements, or that any information contained in the document is true, current, complete or not misleading.

(d) Forms MSD-4 and MSD-5, with instructions, may be obtained from the Chief National Bank Examiner's Office at the address listed in paragraph (a) of this section.

[42 FR 45510, Sept. 9, 1977, as amended at 60 FR 57332, Nov. 15, 1995]

§ 10.4 Application on Form MSD-4 for municipal securities principals and representatives; amendments; notice of termination on Form MSD-5.

(a) *Application requirement.* (1) The Form MSD-4 referred to in this part is prescribed by the OCC as an appropriate means of carrying out the purposes of paragraph (b) of Rule G-7 of the Board, "Information Concerning Associated Persons."

(2) On and after October 31, 1977, no bank municipal securities dealer shall permit a person to be associated with it as a municipal securities principal or municipal securities representative unless: